

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Prisons Department - NHRC – Case No.484/1/2006-2007-CD - Death of Remand Prisoner No 449, Mukka Raju @ Neelamsetti Raju, Sub-Jail, Peddapuram, East Godavari on 09-11-2006 – NHRC recommended for payment a sum of Rs.1,00,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

HOME (PRISONS-HRC) DEPARTMENT

G.O.RT.NO. 1497

DATED:25-08-2012.

Read the following:-

- 1.From the the Joint Registrar (Law), National Human Rights Commission Show Cause Notice, dated 15.02.2011, in case No. 484/1/2006-2007-CD
- 2.From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad Lr. No. SB3/1426/2006 dated 11-04-2011.
- 3.Government Memo No. 5846/Pri.C.HRC/2011, dated 16.11.2011.
- 4.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi Letter dated 04.07.2012.

ORDER:

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18 of Protection of Human Rights Act 1993 to the Chief Secretary, Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the Remand Prisoner No.449, Mukka Raju @ Neelamsetti Raju.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad has furnished reply to the Show Cause Notice. Accordingly, the Government vide letter third read above has furnished the above report to the National Human Rights Commission for placing the same before the Commission.

3. In the reference fourth read above, the Asst.Registrar (Law), NHRC, has stated that the Commission observed that as per the Inquest and Post mortem reports the cause of death mentioned was “infection of both lungs , Bronchoneumonia, Heart failure and due to Gross anemia. The forensic expert opined that the remand prisoner, Mukka Raju was admitted in the jail apparently in healthy condition. After about 5 months he complained of ill health and was sent to Govt. Hospital, Kakinada on 04-11-2006 where he died on 09-11-2006. As stated in the detailed report, the possibility of contracting HIV infection during stay in the jail cannot be ruled out and there are no supporting documents showing the treatment provided before 04-11-2006. Finally the Hon’ble Commission has concluded that the deceased prisoner, Mukka Raju died due to lack of medical treatment in the custody of the State, for which the State must bear responsibility. The Commission has therefore, recommended the Government to pay a sum of Rs.1,00,000/- (Rupees one lakh only) as monetary relief to the next kin of the deceased remand prisoner, Mukka Raju and requested to furnish the proof of payment within six weeks i.e., by 18.08.2012.

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4. The Government after careful examination, hereby accord sanction for an amount of Rs.1,00,000/- (Rupees one lakh only) towards payment of compensation to the legal heir of the Under Trial remand prisoner No 449, Mukka Raju who died on 09-11-2006 as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in Para (4) above, shall be debited to the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan)-2012-13".

6. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 4 above and to place at the disposal of the Collector & District Magistrate, East Godavari for making payment to the legal heir of the remand prisoner No 449, Mukka Raju and submit the proof of payment immediately.

7. The Director General and Inspector General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

8. This order issues with the concurrence of Finance (Exp.Home) Department, vide their UO No.21908/319/A2/Expr.Home/12, dated:21-08-2012.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

M.CHAYA RATAN
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Joint Registrar (Law), National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, (A&E), A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The District Treasury Officer, East Godavari District.

The Collector & District Magistrate, East Godavari District.

Copy to:

The Principal Secretary to Government(Political),
General Administration Department.

The Finance (BG-I) Department.

The Finance (Exp.Home) Department.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER